



*GW Strategy files*

Department of Energy

Ohio Field Office  
175 Tri County Parkway  
Springdale, Ohio 45246

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The Honorable Rob Portman  
House of Representatives  
238 Cannon House Office Building  
Washington, D.C. 20515

OH-0050-04

Dear Representative Portman:

Thank you for your letter of October 9, 2003. Let me start off by assuring you that the Department of Energy is committed to keeping the regulators, the public and the congressional delegation informed and involved as we evaluate the Fernald Comprehensive Groundwater Strategy and the Risk-Based End State alternatives. I had the opportunity to meet with your staff on October 23, 2003 and discussed these matters in person. I believe it was a very productive meeting.

The Department of Energy is nearing completion of the Fernald site cleanup. As a result, in March 2003, the Department requested that its contractor, Fluor Fernald, review the scientific basis for groundwater treatment and discharge at the site and project the remaining scope of restoration. Specifically, we requested that the contractor analyze groundwater samples and review groundwater models developed over a decade ago. The Department also requested Fluor Fernald to prepare an analysis that compared the current path with alternate paths to complete the groundwater restoration effort in a manner that protects public health and the environment and is cost-effective.

The Fluor Fernald analysis was provided to the Department in June 2003. Unfortunately, in this instance, the Department did not take a proactive approach to communicating in advance with the regulators, the public and the congressional delegation. For this, I apologize. In addition, the term "preferred alternative" was incorrectly used in the draft documentation. This understandably raised concerns.



Congressman Portman

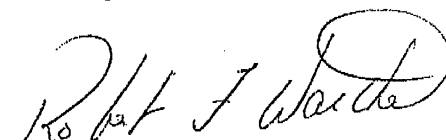
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NOV 14 2003

The Department met with the Federal and State regulators on October 17, 2003 and the Fernald Residents for Environment, Safety and Health (FRESH) on October 21, 2003. No changes to the alternatives document will be proposed until the Department has further, effective communication with the regulators, the community and the congressional delegation.

Thank you for the opportunity to address the concerns you raised in your letter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert F. Warther", written in a cursive style.

Robert F. Warther  
Manager

cc:

Robert G. Card, Under Secretary  
Rick A. Dearborn, Assistant Secretary,  
Congressional and Intergovernmental Affairs  
Jessie H. Roberson, Assistant Secretary for  
Environmental Management  
James A. Saric, USEPA, Chicago  
Tom Winston, Ohio EPA, Dayton  
Glenn Griffiths, Fernald Closure Project



## Department of Energy

Ohio Field Office  
175 Tri County Parkway  
Springdale, Ohio 45246

NOV 14 2003

The Honorable George V. Voinovich  
United States Senate  
317 Hart Senate Office Building  
Washington, D.C. 20510

OH-0052-04

Dear Senator Voinovich:

Thank you for your letter of October 9, 2003. Let me start off by assuring you that the Department of Energy is committed to keeping the regulators, the public and the congressional delegation informed and involved as we evaluate the Fernald Comprehensive Groundwater Strategy and the Risk-Based End State alternatives. I had the opportunity to meet with your staff on October 7 and October 23, 2003 and discussed these matters in person. I believe it was a very productive meeting.

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Senator Voinovich

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Robert F. Warther  
Manager

cc: Robert G. Card, Under Secretary  
Rick A. Dearborn, Assistant Secretary,  
Congressional and Intergovernmental Affairs  
Jessie H. Roberson, Assistant Secretary for  
Environmental Management  
James A. Saric, USEPA, Chicago  
Tom Winston, Ohio EPA, Dayton  
Glenn Griffiths, Fernald Closure Project



## Department of Energy

Ohio Field Office  
175 Tri County Parkway  
Springdale, Ohio 45246

NOV 14 2003

The Honorable Mike DeWine  
United States Senate  
140 Russell Senate Office Building  
Washington, D.C. 20510

OH-0051-04

Dear Senator DeWine:

Thank you for your letter of October 9, 2003. Let me start off by assuring you that the Department of Energy is committed to keeping the regulators, the public and the congressional delegation informed and involved as we evaluate the Fernald Comprehensive Groundwater Strategy and the Risk-Based End State alternatives. I had the opportunity to meet with your staff on October 7 and October 23, 2003 and discussed these matters in person. I believe it was a very productive meeting.

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Senator DeWine

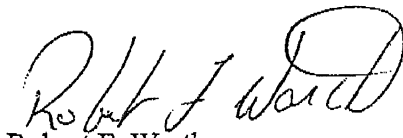
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Robert F. Warther  
Manager

cc:

Robert G. Card, Under Secretary  
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Congressional and Intergovernmental Affairs  
Jessie H. Roberson, Assistant Secretary for  
Environmental Management  
James A. Saric, USEPA, Chicago  
Tom Winston, Ohio EPA, Dayton  
Glenn Griffiths, Fernald Closure Project



## Department of Energy

Ohio Field Office  
175 Tri County Parkway  
Springdale, Ohio 45246

NOV 14 2003

The Honorable Steve Chabot  
House of Representatives  
129 Cannon House Office Building  
Washington, D.C. 20515

OH-0049-04

Dear Representative Chabot:

Thank you for your letter of October 9, 2003. Let me start off by assuring you that the Department of Energy is committed to keeping the regulators, the public and the congressional delegation informed and involved as we evaluate the Fernald Comprehensive Groundwater Strategy and the Risk-Based End State alternatives. I had the opportunity to meet with your staff on October 23, 2003 and discussed these matters in person. I believe it was a very productive meeting.

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Congressman Chabot

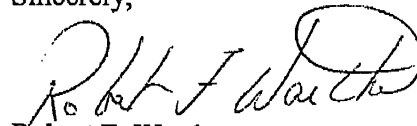
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Robert F. Warther  
Manager

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Congressional and Intergovernmental Affairs  
Jessie H. Roberson, Assistant Secretary for  
Environmental Management  
James A. Saric, USEPA, Chicago  
Tom Winston, Ohio EPA, Dayton  
Glenn Griffiths, Fernald Closure Project





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

NOV 26 2003

SRF-6J

Mr. Robert Warther  
United States Department of Energy  
Ohio Field Office-Springdale  
175 Tri-County Parkway  
Cincinnati, Ohio 45246

RE: RBES Fernald, OH Site

Dear Mr. Warther:

The United States Environmental Protection Agency has reviewed the United States Department of Energy (U.S. DOE) draft Risk-Based End State vision (RBES) document for the Fernald, OH site dated December 1, 2003. This document presents a master list of potential changes to the site cleanup. U.S. EPA is not supportive of any of the proposed items on the master list.

On November 21, 2003, a public meeting was held on this topic. However, the public participation process with the RBES has been minimal and there has been little coordination with the regulators on this issue. The RBES document and the list of recommendations were developed and presented in a manner inconsistent with how such issues were handled over the last ten years. This document was not developed with any regulatory input or public participation, but rather was developed internally by U.S. DOE and its contractor Fluor Fernald. The regulators and some members of the public were only given a few days to review the document before the public meeting.

It is U.S. EPA's position that in the mid-1990s the Fernald, OH site has used the RBES approach and vision to develop an end state using a balanced approach. As opposed to shipping all contaminated materials off-site and cleaning up to background levels, the stakeholders agreed to the construction of an On-Site Disposal Cell over a sole source aquifer, and limiting the land use to an undeveloped park. U.S. DOE agreed to ship the lower volume, yet highest contaminated materials off-site. This early vision developed by all of the involved stakeholders allowed the cleanup to progress quickly and saved U.S. DOE billions in cleanup costs.

U.S. EPA does not support any of the activities provided in the "master list" for the site and would not support a reduced list including any of the alternatives. All of the alternatives presented in the RBES are inconsistent with earlier Records of Decision for the site and agreements made with the stakeholders.

The RBES policy allows for some sites to require no further action or changes from their existing

path forward. The U.S. DOE Fernald, OH site cleanup is approximately 70% complete, and there are defined cleanup goals and milestones established to achieve site closure in 2006. U.S. EPA recommends no further pursuit of the actions proposed in the RBES document. If U.S. DOE proposes future changes that may benefit the cleanup process, U.S. EPA recommends following the established process which includes full stakeholder and regulatory involvement.

If you have any questions regarding this matter, please contact James Saric of my staff at (312) 886-0992.

Sincerely,



Gary Schafer  
Chief  
Federal Facilities Section  
SFD Remedial Response Branch #2

cc: Jim Woolford, U.S. EPA-FFRRO  
Jessie Roberson, U.S. DOE  
Johnny Reising, U.S. DOE-Fernald  
Tom Schneider, OEPA-SWDO  
Graham Mitchell, OEPA-SWDO



State of Ohio Environmental Protection Agency  
Southwest District

401 East Fifth Street  
Dayton, Ohio 45402-2911

TELE: (937) 285-6357  
FAX: (937) 285-6249

December 1, 2003

Mr. Robert Warther, Manager  
US DOE Ohio Field Office  
175 Tri-County Parkway  
Springdale, OH 45246-3222

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Dear Mr. Warther:

I am writing you concerning the USDOE Fernald site's Draft Risk-Based End State (RBES) Vision document, which was provided to Ohio EPA as an Executive Summary on November 13, 2003 and upon which a public meeting was held on November 18, 2003. At that public meeting, Ohio EPA was able to obtain a full copy of the document. Based upon our review of the document and the public meeting, Ohio EPA has significant concerns regarding the document and DOE's implementation of its Risk-Based End States policy.

DOE has failed to have any meaningful public or regulatory involvement in the development of the document. Providing the public and regulatory agencies a portion of the document just 2 working days prior to the public meeting does not constitute formulating the vision "...in cooperation with regulators and, in consultation with affected governments, Tribal nations and stakeholders..." as required by DOE Policy P 455.1. In fact, it is our understanding that no change to the document occurred following the public meeting, where adamant opposition was expressed, and prior to submittal to DOE HQ. This leaves one to question what the point of the public meeting was other than to say a meeting occurred. The lack of public and regulatory involvement in this document and its predecessor, the Comprehensive Groundwater Strategy Report, have seriously damaged the productive working relationships between DOE and the regulatory agencies and public. The past two months have seen numerous negative press articles and a growing distrust of DOE in the community. This, after the DOE Fernald site has been seen as a national leader over the past decade in successful stakeholder involvement and productive working relationships between DOE, regulators and the community.

Concerning the specific proposals outlined in the Draft Risk-Based End State Vision, Ohio EPA finds all of the proposals unacceptable. At the Fernald site, DOE, regulators and stakeholders employed a process to evaluate cleanup options based upon risk and community values long before the development of this policy. Additionally, these decisions were reached over years of education, discussion and compromise. To expect the public or regulators to consider changing these agreements based upon a few weeks of internal DOE document development and very limited public involvement is naive, and seemingly ignores all the effort put in by the community, site personnel and regulators over the past 10 years.



Mr. Robert Warther, Manager  
US DOE Ohio Field Office  
Page 2

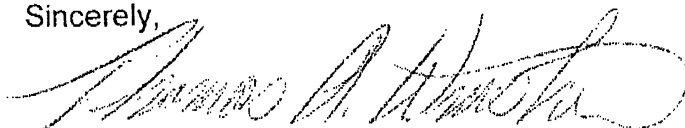
It is important to note that your efforts on the RBES Vision were performed to meet a DOE policy directive and not to satisfy any regulatory requirement of USEPA or Ohio EPA. In that regard it can be viewed as an exercise to help DOE determine if there are any regulatory "opportunities" that should be pursued further. We have always felt that such an evaluation would not bear any significant fruit at Fernald. In comparison to the evaluation and discussion that resulted in current cleanup requirements, this evaluation is anemic in terms of its rigor and devoid of the meaningful regulator and public discussion that produces implementable decisions. The result is a list of potential changes that are all problematic in that they ignore the rich history of decisions at Fernald and fail to recognize the inter-related nature of these decisions. Put simply, it does not appear to be in DOE's best interest to reopen Records of Decisions (RODS) that included extraordinary compromises from the public and regulators.

For all of these reasons, I would suggest that DOE not proceed to propose any changes based on this exercise. To the extent that you have satisfied an internal DOE screening process, you can report that you have completed that task. But, clearly, additional effort put into RBES would not be prudent. Some of your strongest supporters have already begun to question DOE's commitment to truly remediate the site. We have heard a growing perception that DOE is willing to change remedies, leave behind a dirtier site and place additional burdens on the community in order to complete work in 2006. We hope and expect this is not the case.

This is not to say that we will not continue to discuss and act on proposals to improve the cleanup at Fernald. DOE, regulatory agencies and the local community have had a very productive relationship over the past several years. Indeed several Records of Decision have been revised recently to address technical difficulties, improve processes and provide clarification. However, these changes were implemented using the successful public participation and regulatory concurrence model developed and used at Fernald over the past 10 years. Ohio EPA remains committed to working within the bounds of this framework to address site issues as they arise.

Continued work on the RBES Vision will only further distract vital resources and staff from focusing on achieving DOE's 2006 cleanup goal. The process has already cost substantial dollars in personnel time and contractor effort as well as caused damage to the working relationships at the site. Ohio EPA believes it is time to move beyond the RBES Vision exercise and allow the site and community to return their focus to achieving the 2006 goal.

Sincerely,



Thomas A. Winston, P.E.  
Chief, Southwest District Office

cc: Bill Taylor, DOE-FFO  
Jim Bierer, FCAB  
Jim Saric, USEPA Region V  
Jim Woolford, USEPA



## Department of Energy

Ohio Field Office  
175 Tri County Parkway  
Springdale, Ohio 45246

DEC 15 2003

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LOG E-6280

2003 DEC 17 A 10:14

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Tom Winston, Chief  
Ohio Environmental Protection Agency  
Southwest District Office  
401 E. Fifth Street  
Dayton, Ohio 45402

OH-0132-04

Dear Mr. Winston:

This letter is provided in response to your letter of December 1, 2003. In your letter, two key implications were made that, if not clarified, could perpetuate a misconception regarding the Department of Energy (DOE) efforts to achieve risk-based closure at sites under your jurisdiction. The referenced letter implies: (1) the Fernald Risk Based End State (RBES) document is final, and actions to implement the risk-based end state are well underway; and (2) the first exposure of the Ohio Environmental Protection Agency's (OEPA) to this process occurred two days before the November 18, 2003 Fernald public meeting.

As you know, the DOE remains in full compliance with the five Records of Decision (ROD) that govern environmental remediation at the Fernald site, and is legally required to continue to comply with those RODs. If you have concerns regarding DOE's compliance with a ROD, please notify me so that I may take appropriate action.

DOE also fully understands that it cannot unilaterally change any portion of the five RODs. If the public believes DOE can take unilateral action to change the current groundwater remedy at Fernald, then it is apparent that U.S. and Ohio EPA's authority over the DOE is not well understood. If that is the case, DOE and its regulators jointly should work to improve the public's understanding of the regulators' responsibility and authority, as well as the DOE's obligations regarding all RODs. Furthermore, it is important for all to recognize that there is a regulatory process for amending RODs and, where appropriate, the DOE has a fiduciary responsibility to pursue appropriate changes that could result in cost efficiencies without compromising protection of human health and the environment.

As you are aware, the final groundwater strategy at Fernald is a substantial component of the RBES. While it is true that the draft RBES Vision document was submitted in response to DOE Policy No. 455.1, this policy basically formalized work that was already underway at many DOE cleanup sites, including those located in Ohio. The DOE has always looked for methods to decrease cost to the taxpayers while maintaining full protectiveness. The DOE staff initiated discussions with members of your staff regarding risk-based end states at Fernald nearly one year ago. A detailed list of all the interactions between our staffs is included as an attachment to this letter. The list shows more than two dozen contacts with your staff on this subject going back as far as December 2002. I am profoundly troubled that you were not fully aware of the RBES initiative at Fernald following this number of communications with you and your staff.



Mr. Tom Winston

-2-

DEC 15 2003

I find your comment that DOE has not received meaningful public input misleading, in part, because the context in which this statement is made is incorrect. Your letter states that I can "report that {I} have completed that task {of submitting a RBES Vision document to DOE Headquarters}." Unfortunately, the letter's language has created the misperception that the opportunity for the public and the regulator to comment has been missed. As a member of the DOE Environmental Management Advisory Board, as well as a regulator for the State of Ohio who has commented on the draft RBES Policy and Guidance, you are well aware DOE drafted the Ohio RBES document for the express purpose of receiving public and regulator comment. Per the Policy, "sites should provide the draft RBES Vision document to regulators and stakeholders for review and comment at the same time the draft Vision document is submitted to HQ." The Ohio Field Office *exceeded* this requirement because we solicited and received comments from the public *prior* to submitting the draft RBES document to DOE-HQ. However, the Assistant Secretary for Environmental Management has granted the field an extension for submission of the final RBES vision until March 30, 2004 to allow additional time over the next three months for public input.

Your letter further states that all of the RBES vision recommendations are unacceptable, and implementation would lead to a "dirtier cleanup". All Ohio RBES recommendations are compliant with Federal and State regulations. To the extent that Federal and State regulatory limits are adequate, implementation of these recommendations would result in adequate protection of the public and environment, commensurate with anticipated land use. I cannot emphasize enough that under no circumstances would implementation of our RBES recommendations result in a cleanup that is less than fully adequate to protect the public and environment.

Your letter also states that the RBES document cannot be implemented. I agree with this statement, the draft document never was intended to be implemented. The DOE is still in the process of developing and examining alternatives, and is not yet ready to pursue any of those alternatives. Further analysis will be required, and several steps must be taken before any changes at the Fernald site could occur. More specifically, pursuant to DOE Policy 455.1, the following steps must be completed:

1. Incorporate or attach public and regulator comments into the DRAFT document, including the variance report.
2. Submit the final RBES document to DOE Headquarters.
3. Develop a site risk-based end state implementation strategy that includes an assessment of current cleanup strategies and baselines to align them with the end state vision. This is the document that would assess the ability to implement the RBES recommendations. The implementation strategy is anticipated to be complete in the spring of 2004.

Mr. Tom Winston

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DEC 15 2003

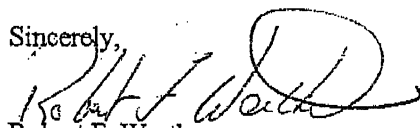
4. Implement changes, as agreed to with the public and regulators. There is no firm date for such action, but under the regulatory process, this cannot be completed until the summer of 2004 at the earliest, and only after detailed discussions with your staff and the public, and completion of any changes to RODs, if required.

Each of the above steps remaining in this process provides an opportunity for public and regulator input. To date, we have not received technical comments on the Fernald RBES regarding risks to human health and environment from the regulator(s) or the public. We have received several comments related to the process used to develop the DRAFT document, and we are fully aware of the history behind the development of each ROD. We will continue to contact OEPA staff directly to ensure that all RBES technical recommendations are fully compliant with Federal and State regulations.

Finally, it is important that our two organizations ensure communications are effective. My staff assures me they are communicating with your designated Site Representative. However, based upon your December 1, 2003 letter and recent comments by your senior staff to the press, it is clear that the issues DOE believes it is communicating are not being received at your level. Therefore, I propose that you and I establish a bi-weekly conference call to discuss topics of importance to the successful completion of the Fernald site. I further propose that we conduct a quarterly walk down of the site.

As we approach closure, it is clear that the frequency and significance of decision-making will increase. I look forward to receiving a favorable response to these two suggestions. Taken together, I am confident that we can achieve a greater mutual understanding of the important issues facing each of our agencies, while providing a vehicle for communicating important matters and positions in a professional and timely atmosphere.

Sincerely,

  
Robert F. Warther  
Manager

Attachment

cc:

Jessie H. Roberson, EM-1  
Michael Owen, LM-1  
William Muno, USEPA  
James Woolford, USEPA  
Graham Mitchell, OEPA  
James C. Bierer, FCAB

**FERNALD GROUNDWATER STRATEGY/ RISK BASED END STATE TIMELINE:**

<b>DATE</b>	<b>EVENT</b>	<b>TOPIC/RESULT</b>
January 2002	Secretary Abraham visits Fernald Site	Discussed top to bottom review of which Risk Based End State (RBES) Vision was part of Master Plan.
December 2002	DOE-HQ rolls out discussion on RBES process	DOE-HQ initiated a complex wide discussion with State Regulators, USEPA, local and tribal governments.
December 18, 2002	Email from DOE-FCP to US and Ohio EPA's	Email to US & Ohio EPA transmitting the RBES policy, guidance, example and questions from Corporate Team #7.
January 2, 2003	Email from DOE-FCP to OEPA	Email informing OEPA that DOE-FCP was responding to a questionnaire from HQ Corporate Team #7 related to RBES and offering to share with OEPA when finalized.
January 2, 2003	Email from OEPA to DOE-FCP	Email requesting to see completed questionnaire and informing DOE-FCP that OEPA would be reviewing the RBES policy for ITRC.
January 3, 2003	Email from OEPA to DOE-FCP	Email from OEPA to DOE-FC transmitting letter from EM-1 to the ITRC asking for review and comments on the RBES guidance.
January 7, 2003	Email from Fluor Fernald to OEPA	Email transmitting completed Corporate Team #7 questionnaire.
January 22, 2003	Full FCP-CAB Mtg	FCP-CAB briefed on RBES policy and guidance. Comments requested on documents by January 31, 2003.
March 29, 2003	Contract Mod. 38 signed	Includes requirement for Fluor to submit Comprehensive Groundwater Strategy (CGS) within 60 days of contract award
April 10, 2003	Meeting with OEPA	Representatives of DOE-FCP and Fluor Fernald briefed OEPA staff on Mod. 38, including CGS.
May 2003	Conference Call with USEPA	Representatives of DOE-FCP and Fluor Fernald briefed USEPA on Mod. 38, including CGS.
June 4, 2003	Meeting between DOE and Fluor	Fluor briefs DOE on status of CGS contract deliverable. DOE agrees to extension of time for submittal of document to June 30 <sup>th</sup> .
June 10, 2003	Fernald Weekly Report	First use of term "preferred alternative". Used in CGS context that DOE's general preference was to D&D the Advanced

12/12/2003



		Waste Water Treatment Plant (AWWT) on a schedule that allowed disposing of it in the On Site Disposal Facility (OSDF). Protocol is for Fernald to fax copies of weekly reports to the Fernald Citizens Advisory Board (FCAB) members, which includes US and Ohio EPA.
June 11, 2003	Weekly Report fax'd to FCAB members	
June 19, 2003	Email from OEPA to FCP-CAB	Advises that OEPA does not support DOE CGS proposal, and states OEPA was not aware of this action.
June 19, 2003	Telecon between DOE-FN and USEPA	DOE informs USEPA we do not have a CGS preferred alternative, all options were being evaluated, and the report was due June 30 <sup>th</sup> .
June 30, 2003	Comprehensive Groundwater Strategy submitted to DOE	Contractual deliverable met.
July 15, 2003	DOE Policy 455.1 approved	DOE Policy on "Use of Risk-Based End States" approved by the Deputy Secretary of DOE.
July 21, 2003	Meeting between DOE and Fluor on CGS	Discussion of DOE comments on June 30 <sup>th</sup> CGS document.
August 8, 2003	Meeting between DOE and USEPA Region V in Chicago	Discussion included DOE groundwater optimization initiative
August 14, 2003	Full FCP-CAB Mtg.	CAB members received updated RBES Policy Guide and Implementation Plan.
August 22, 2003	DOE letter to Fluor pertaining to CGS	Transmitted comments on June 30 <sup>th</sup> CGS document, and requested additional information on selected alternatives identified in CGS.
August 28, 2003	Meeting between DOE and Fluor related to CGS	DOE clarified its 8/22 request for additional information related to CGS.
September 8, 2003	Letter to FCP-CAB from DOE-FCP	Letter to CAB from DOE-FCP Acting Director transmitting FY 2004 Priorities. Included was the statement "Facilitate a public discussion on DOE's RBES policy and provide input to DOE on incorporating the RBES policy at Fernald".
September 10, 2003	Meeting between DOE, Fluor and OEPA in Dayton, OH related to CGS.	Various topics discussed. OEPA expressed lack of support for any alternative that would raise discharge limits contained in Record of Decision for Operable Unit 5 at Fernald.

12/12/2003

September 11, 2003	Fluor letter to DOE related to CGS.	Responded to 8/22 request for additional information on CGS.
September 13, 2003	FCAB Annual Retreat	Groundwater Strategy initiative discussed. DOE commits to briefing for the FCAB in October on this subject. At the Annual FCP-CAB Retreat the DOE-FCP Acting Director discussed and reiterated the request for the CAB to facilitate public input on the RBES Policy at FCP.
Week of Sept. 14, 2003	Copy of the CGS Report provided to Lisa Crawford (at her request)	First external distribution of initial CGS report. Report still considered internal working draft.
September 16, 2003	Meeting between Fluor representatives and USEPA in Chicago	Various topics discussed, including need for regulatory "summit meeting" for DOE presentation on groundwater initiatives and informal regulator reactions prior to development or submittal of any formal proposal by DOE to alter current groundwater remedy.
September 22, 2003	Lisa Crawford calls DOE and Fluor public information contacts	Wanted information on "preferred alternative" for CGS.
September 24, 2003	Fluor meets with Lisa Crawford at her request (lunch meeting)	Provided copy of talking points related to RBES and CGS which included the term "preferred alternative"
September 25, 2003	Telecon between DOE, OEPA, and USEPA	DOE told regulators that the document had been provided to Lisa Crawford, and that a copy of the document and talking points would be provided to them.
September 25, 2003	Telecon between Fluor and FCAB Facilitator	Informed Facilitator of meeting held with Lisa Crawford. Provided him a copy of the talking points via e-mail.
September 26, 2003	Comprehensive Groundwater Strategy Report and the Risk-Based End State Overview talking Points sent to US and Ohio EPA.	The talking points used to brief Lisa Crawford related to the RBES process and initiatives/opportunities were sent to both US and Ohio EPA along with the Comprehensive Groundwater Strategy Report. This brings regulators, FCAB, and key stakeholders to a consistent level of documentation on this subject.
September 26, 2003	Cincinnati Enquirer reporter called Fluor public affairs office	Inquired about Silos Project safety stand down. Also requested information on Groundwater Strategy Report and preferred alternative. Fluor informed the reporter that there was no preferred alternative---only an internal report that identified options.

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September 29, 2003	Enquirer reporter calls DOE-Fernald.	DOE informed him that a range of options was being considered; there was no CGS preferred alternative; and we would use a public process to evaluate options and develop a path forward.
October 8, 2003	Meeting at stakeholder residence between DOE, Fluor, and key stakeholders	Briefed key stakeholders on background of groundwater strategy report, and discussed options and path forward. Emphasized there was no "preferred alternative", and committed to a public meeting to discuss the entire matter.
October 9, 2003	Meeting between DOE and three OEPA representatives in Miamisburg, Ohio	OEPA firmly states the groundwater initiative is "dead on arrival". No support for concept—particularly changing of discharge limits.
October 17, 2003	Meeting between DOE, Fluor, USEPA and OEPA in Dayton, OH	Regulatory Summit held. Both USEPA and OEPA stated they would not agree to any changes in discharge limits. However, they were amenable to discussions on timing of appropriate disposition of the AWWT and ultimate groundwater certification approach to declaring completion of remedy. Brief discussion on RBES vision document (averaging Waste Acceptance Criteria in OSDF).
October 21, 2003	Public Meeting held at Fernald Site on CGS.	Attended by 54 people, including USEPA, OEPA, FCAB, Ohio Dept. of Health, media representatives, area residents, and other key stakeholders. DOE asked for an opportunity to start the process over, and more effectively involve the public in the entire matter. Fluor presented information on history of the issue and the alternatives contained in the June 30 <sup>th</sup> report.
October 21, 2003	FCAB meeting held immediately following public meeting	Path forward agreed to, whereby DOE would use the FCAB as the primary conduit to frame the issue for the public, and facilitate an open process to discuss alternatives related to the CGS and decide upon appropriate path forward—including any potential concerns regarding any proposals emerging from DOE implementation of Risk Based End State Policy (DOE 455.1)
November 14, 2003	Email sent to FCP-CAB mailing list related to RBES	Email sent to the CAB transmitting the Executive Summary of the RBES Vision Document.
November 18, 2003	Public Meeting pertaining to RBES Vision Document	Public Meeting held at FCP to present the Draft RBES Vision Document. Full copy of RBES Vision document distributed to

November 21, 2003	FCP RBES Vision Document transmitted to EM-1	attendees. Draft FCP RBES Vision document transmitted to EM-1. Summary of Comments received at Public Meeting and newspaper articles attached.
November 25, 2003	Email from DOE-FCP to US and Ohio EPA	Email sent to US and Ohio EPA informing them that the RBES Vision Document had been posted on the WEB Site. Provided site name and password for access.
November 25, 2003	Email from CAB facilitator to FCP-CAB	Email sent from CAB facilitator to CAB transmitting draft letter to EM-1 from FCP-CAB relating to RBES vision document.
November 25, 2003	Meeting with OEPA at Dayton Office	Representative from Fluor Fernald, Inc. and DOE-FCP met with OEPA to discuss the RBES HQ review process and path forward.
December 2, 2003	Full FCP-CAB Meeting	Full CAB meeting held, topics discussed included RBES vision document, comments and path forward. The Comprehensive Groundwater Strategy path forward was discussed. In was agreed that the CAB would review and evaluate various alternatives primarily related to the dispositioning of the AWWT.

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